

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KEVIN HOLMES,

Plaintiff,

V.

LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendant.

NO. CV 08-2983 MMM (FMO)

ORDER TO SHOW CAUSE

By order dated June 11, 2008, plaintiff was ordered to serve the summons and first amended complaint (“FAC”) on all named defendants in this action within one hundred and twenty (120) days of the filing of the FAC, which was filed on June 10, 2008. It appears from the record that plaintiff has failed to complete service on defendant Deputy Fisher as ordered. Nor has plaintiff filed a request for an extension of time in which to do so.

Accordingly, **IT IS HEREBY ORDERED THAT, on or before January 5, 2009**, plaintiff shall show cause, if any there be, why this action should not be dismissed for plaintiff's failure to complete service of the summons and FAC as required by Rule 4(m), Federal Rules of Civil Procedure. **Plaintiff shall attempt to show such cause in writing by filing a declaration signed under penalty of perjury. Failure timely to file such a declaration or to show cause as ordered may result in dismissal of this action as to defendant Deputy Fisher for failure**

1 to prosecute. Filing of the proof of service shall be a satisfactory response to the Order
2 to Show Cause.

3 IT IS SO ORDERED.

4 Dated this 12th day of December, 2008

5 /s/
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7 Fernando M. Olguin
8 United States Magistrate Judge
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